

DRAFT

STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
April 7, 2022, at 11:00 a.m.
Indiana Government Center South, Room W064
402 West Washington Street
Indianapolis, Indiana

CALL TO ORDER

The meeting was called to order at 11:00 a.m. by Kathleen Matuszak, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

BOARD MEMBERS PRESENT: Kathleen Matuszak, Chairperson
Thomas Sproles, Vice Chairman
Christopher Cooke

BOARD MEMBER ABSENT: Frank Downing

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Colette Ritter, Assistant Board Director
Clarence Leatherbury, Deputy Attorney General

ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda.

Cooke/Sproles

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

ADOPTION OF THE MINUTES FROM THE FEBRUARY 3, 2022, EXECUTIVE SESSION AND MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes of the February 3, 2022, executive session, and meeting.

Sproles/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

Written and verbal report provided. The board expressed concern that the liaisons are not receiving as many complaints as they have in the past and concern with the lack of Administrative Complaints filed with the board.

PERSONAL APPEARANCE FOR COMPLIANCE OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

1. Jessen Funeral Home, FH19900057, FB40500016, FB41200011, and Clarence John Jessen, FD29400075, 2018 SBFCS 0006

Mr. Jessen appeared via telephone.

ADMINISTRATIVE HEARINGS

1. Ned Dunnichay, FD01020332, 2020 SBFCS 0001

A motion was made and seconded to remove probation.

Sproles/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR LICENSE BY RECIPROCITY

1. Jennifer Palmer

A motion was made and seconded to approve the application.

Sproles/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR LICENSE

1. Jeffery Nathan Sachs

A motion was made and seconded to approve the application for license on indefinite probation, after passing the funeral director exam, with no right to petition for removal for a period of one year and completion of the IFDA Crash Review Course.

Sproles/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

PERSONAL APPEARANCE REGARDING POSSIBLE NON-COMPLIANCE WITH CONTINUING EDUCATION REQUIREMENTS

1. Byron Hutchison, FD21800056

A motion was made and seconded to issue a Notice of Non-compliance and require completion of three (3) law hours within six months.

Sproles/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

REVIEW OF 2019-2020 CONTINUING EDUCATION AUDIT FILES

1. Gayle Armes, FD01014066

A motion was made and seconded to issue a Notice of Non-compliance and require completion of additional one (1) law hour within six months and impose a fine of \$1000.

Sproles/Cook

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

2. Shawnda Arrowood, FD20900020

A motion was made and seconded to issue a Notice of Non-compliance and require completion of additional 6 general hours within six months and impose a fine of \$5000.

Sproles/Cook

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

3. Jeremy Bault, FD21700056

A motion was made and seconded to issue a Notice of Non-compliance and require completion of additional 2 law hours and 3 general hours within six months and impose a fine of \$3000.

Cook/ Matuszak

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

4. James Burns, FD01009461

A motion was made and seconded to issue a Notice of Non-compliance and require completion of additional 4 general hours within six months and impose a fine of \$3000.

Cooke/Sproles

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

5. Aaron Fuller, FD29800057

A motion was made and seconded to issue a Notice of Non-compliance and require completion of additional 3 law hours within six months and impose a fine of \$3000.

Sproles/ Matuszak

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

6. Louise Gohmann, FD21100015

A motion was made and seconded to issue a Notice of Non-compliance and require completion of additional 1 law hour within six months and impose a fine of \$1000.

Sproles/ Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

7. Gayle Shumake Graham, FD21000075

A motion was made and seconded to issue a Notice of Non-compliance and require completion of additional 4 law hours within six months and impose a fine of \$3000.

Sproles/ Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

8. Jon Hanley, FD01006332

A motion was made and seconded to issue a Notice of Non-compliance and require completion of additional 1 general hour within six months and impose a fine of \$1000.

Sproles/ Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

9. Yolanda Hudson, FD20000361

A motion was made and seconded to issue a Notice of Non-compliance and require completion of 5 general hours within six months and impose a fine of \$3000.

Cooke/Sproles

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

10. Charles Mikolajczak, FD01012585

Board action was tabled due to lack of quorum. K. Matuszak abstained from the matter.

11. Darin Schutt, FD20200061

A motion was made and seconded to issue a Notice of Non-compliance and require completion of 4 law hours within six months and impose a fine of \$3000.

12. Michael Scott, Sr., FD21500029

A motion was made and seconded to issue a Notice of Non-compliance and require completion of 3 law hours within six months and impose a fine of \$3000.

Cooke/Sproles

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

13. Kevin Wagner, FD20200062

A motion was made and seconded to issue a Notice of Non-compliance and require completion of 1 general hours within six months and impose a fine of \$1000.

Cooke/Sproles

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

CHAIRPERSON'S REPORT REGARDING THE 2022 INTERNATIONAL CONFERENCE OF FUNERAL SERVICE BOARDS CONFERENCE

The Conference discussed the advantage of suspending a license rather than revoking the license, so they are still under the jurisdiction of the board. Suspension could not be more than 7 years.

Timelines on rulings: a lot of states do not however we do.

Good moral character: Keep the definition vague and judge each case separately.

Suggested attend other board meetings to see what other boards are doing with their litigation (such as medical, nursing)

Some states require the state exam as part of their disciplinary action. James Harry research if the board can require passing the exam as part of a litigation case.

DISCUSSION OF REVIEW PROCESS TO DETERMINE IF PAYMENT IS DUE INTO THE PRENEED CONSUMER PROTECTION FUND.

The process was discussed to ensure the board is evaluating funds according to statute.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve all the following courses.

Sproles/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

COURSES FOR APPROVAL

Funeral Directors Life Insurance Company – CE21100035

1. Reignite Summit: Reframe your mind Reprogram your thinking– 3.8.2022 – 1 CEU
2. Reignite Summit: Reframe your mind Reprogram your thinking- 3.9.2022 – 1 CEU
3. Making Aftercare More than an Afterthought – 3.29.2022 – 1 CEU

International Order of the Golden Rule – CE10800865

1. 2022 OGR Annual Conference – 5.15 – 5.17.2022 – 8 CEU

Indiana State Coroners Training Board – CE21200008

1. 40-Hour Medicolegal Death Invest. Course – 2.11.– 2.13. 2022 – 20 CEU
2. 40-Hour Medicolegal Death Invest. Course – 2.25 – 2.27. 2022 – 20 CEU

WebCE, Inc. – CE10800715

1. What Every Funeral Professional Should Know About Alkaline Hydrolysis – Ongoing – 2 CEU

International Cemetery, Cremation & Funeral Association – CE10800864

1. ICCFA Annual Convention – 3.22 – 3.25.22 – 14 CEU

Homesteaders Life Company – CE10800737

1. Applying Ethics to Preneed Insurance – Various See Attachment – 3 CEU
2. Cremation Planning with Preneed Insurance – Various See Attachment – 3 CEU
3. Continuous Improvement Funeral Preneed Insurance and Arrangements – Various See Attachment – 3 CEU
4. Preneed Insurance Consumer Trends and Funeral Planning – Various See Attachment – 3 CEU

KAVOD, Independent Jewish Funeral Chapels – CE21600017

1. Communicating with Today's Customer – 4.4.2022 – 3 CEU

MKJ Marketing – CE10800860

1. MKJ Marketing Summit – 2.7 – 2.9.2022 and 3.7 – 3.9.22 – 13 CEU each

Madison County Funeral Directors Association – CE10800768

1. Compassion Fatigue – 1.25.2022 – 1 CEU

Wilbert Funeral Services, Inc – CE21500018

1. Starting from Scratch – 4.14.2022 – 1 CEU

2. Ceremonies for Today – 4.28.2022 – 1 CEU
3. Value of Clinical Case Report in Embalming – 5.12.2022 – 1 CEU
4. Securing Digital Legacies – 3.17.2022 – 1 CEU

Flanner Buchanan Funeral Center – CE21800040

1. Supporting Children and Teen Living with Grief – 3.1.2022 – 1 CEU

Vermilion County Funeral Directors Association – CE10800843

1. Honor Guard with Rich Darby – 3.2.2022 – 1 CEU
2. OSHA – 3.2.2022 – 3.2.2022 – 1 CEU
3. Prep Room Safety and Infection Control – 3.2.2022 - 4 CEU
4. Cremation and Cemetery Acts – 3.2.2022 – 2 CEU Law

New Sponsor Request

Selected Educational Trust – All distance learning

1. Being a Successful Professional – Apr, June, Sept 2022 – 8 CEU
2. Financing Fundamentals: Business Acquisitions and Growth – Apr, June, Sept 2022 – 8 CEU
3. Guiding Families Toward Meaning and – Apr, June, Sept 2022 – 8 CEU
4. Gaining Respect and Building Trust – Apr, June, Sept 2022 – 8 CEU
5. Mastering the Inquiry Phone call – Apr, June, Sept 2022 – 8 CEU
6. Understanding the New Funeral Consumer – Apr, June, Sept 2022 – 8 CEU
7. Making Best Impressions – Apr, June, Sept 2022 – 8 CEU
8. Metal Recycling Post Cremation: Better Outcomes – Apr, June, Sept 2022 – 8 CEU

ADJOURNMENT

The meeting was adjourned at 1:39 pm